

REMARKS

Reconsideration and allowance are respectfully requested in light of the preceding amendments and following remarks. No claims having been cancelled or added by this response, the Applicants respectfully submit that 18 claims, specifically claims 1-18, remain pending and properly under consideration in this application.

The Applicants note that the Examiner has not requested corrected drawings despite the Draftsperson's notation on the November 1999, PTO-948 form regarding the margins of Fig. 9, *i.e.*, sheet 5/5. The Applicants have concluded, therefore, that the drawings as filed are acceptable for examination and that any minor corrections may be deferred until after a Notice of Allowance has been issued. Should this not be the case, the Applicants respectfully request that the Examiner advise accordingly in the next communication regarding this application.

Claims 1-14 and 16 stand rejected under 35 U.S.C. § 103(a) as unpatentable over U.S. Pat. No. 6,250,984 to Jin et al. ("Jin") in view of U.S. Pat. No. 5,973,444 to Xu et al. ("Xu"). The Applicants respectfully traverse this rejection.

Pursuant to the attached Declaration Under 37 C.F.R. § 1.131 by inventor Wei Zhu, the Applicants respectfully submit that the invention described and claimed in the present invention was complete and documents before the filing date of the Jin reference. The Applicants respectfully contend, therefore, that Jin is not available as prior art under 35 U.S.C. §§ 102(e) and 103 against the present invention.

The Applicants respectfully contend that the removal of the primary reference renders the proposed combination insufficient to render the present invention unpatentable and request that this rejection be withdrawn.

Claim 15 stands rejected under 35 U.S.C. § 103(a) as unpatentable over Jin, in view of Xu, and further in view of the Applicants admitted prior art. The Applicants respectfully traverse this rejection.

As noted above, the Applicants respectfully contend that the attached Declaration Under 37 C.F.R. § 1.131 by inventor Wei Zhu is sufficient to remove the Jin reference as prior art under 35 U.S.C. §§ 102(e) and 103 against the present invention.

The Applicants respectfully contend that the removal of the primary reference renders the proposed combination insufficient to render the present invention unpatentable and request that this rejection be withdrawn.

Claims 17 and 18 stand rejected under 35 U.S.C. § 103(a) as unpatentable over Jin, in view of Xu and further in view of U.S. Pat. No. 5,456,986 to Majetich et al. ("Majetich"). The Applicants respectfully traverse this rejection.

Again, as noted above, the Applicants respectfully contend that the attached Declaration Under 37 C.F.R. § 1.131 by inventor Wei Zhu is sufficient to remove the Jin reference as prior art under 35 U.S.C. §§ 102(e) and 103 against the present invention.

The Applicants respectfully contend that the removal of the primary reference renders the proposed combination insufficient to render the present invention unpatentable and request that this rejection be withdrawn.


All rejections having been addressed and overcome, the Applicants respectfully contend that the present application is now in condition for Allowance and a Notice to that effect is earnestly solicited. Should the Examiner feel that further discussion on any point would be helpful in advancing the prosecution of this application, the Examiner is respectfully requested to contact the undersigned.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to credit any overpayment or charge any underpayment of fees due pursuant to 37 C.F.R. §§ 1.16 or 1.17 to Deposit Account No. 08-0750.

The Applicants also note that both an Associate Power of Attorney in favor of the undersigned and a Change of Correspondence Address form are being submitted herewith authorizing and directing that future correspondence be directed to the office of the undersigned. The Examiner is invited to contact the undersigned should there be any question regarding the intent or sufficiency of these documents.

Respectfully submitted,

HARNESS, DICKEY & PIERCE, P.L.C.

By 
Gregory P. Brummett
Reg. No. 41,646

P.O. Box 8910
Reston, VA 20195-8910
T: (703) 390-3030
F: (703) 390-3020
GPB/gpb